IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

MELINDA SCOTT,)	
Plaintiff)	
v.)	Case No. 2:20cv14
WISE COUNTY DEPT. of SOCIAL SERVICES)	
and)))	
JOSHUA MOON))	
Defendants.)	

<u>DEFENDANT WISE COUNTY DEPARTMENT OF SOCIAL SERVICES'</u> <u>MOTION TO DISMISS</u>

Defendant Wise County Department of Social Services, by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, moves this Court to dismiss the Plaintiff's Complaint against it with prejudice on the grounds that the Complaint fails to state a claim for which relief may be granted for the reasons set forth in the accompanying memorandum.

Respectfully submitted,

WISE COUNTY DEPARTMENT OF SOCIAL SERVICES

/s/ Christopher S. Dadak Christopher S. Dadak (VSB # 83789) GUYNN, WADDELL, CARROLL & LOCKABY, P.C. 415 S. College Avenue Salem, Virginia 24153 Phone: 540-387-2320 Fax: 540-389-2350 christopherd@guynnwaddell.com

Counsel for Wise Co. Dept. of Social Services

CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the document the Plaintiff appearing *pro se*:

Melinda Scott 2014PMB87 PO Box 1133 Richmond, Virginia 23218

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